

**KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION
 PLAN AMENDMENT/REZONING REPORT**

▶ **FILE #:** 6-G-13-RZ
 6-B-13-SP

AGENDA ITEM #: 31
AGENDA DATE: 6/13/2013

▶ **APPLICANT:** DARRELL BRADEN
 OWNER(S): Darrell Braden

TAX ID NUMBER: 43 PART OF 003 MAP ON FILE AT MPC
 JURISDICTION: Commission District 8

▶ **LOCATION:** East side Clear Springs Rd., north of Arnold Ln.

▶ **TRACT INFORMATION:** 26475 square feet.

SECTOR PLAN: Northeast County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Clear Springs Rd., a major collector street with 21' of pavement width within 40' of right-of-way.

UTILITIES: Water Source: Northeast Knox Utility District

Sewer Source: Knoxville Utilities Board

WATERSHED: Holston and French Broad

▶ **PRESENT PLAN DESIGNATION/ZONING:** LI (Light Industrial) / A (Agricultural)

▶ **PROPOSED PLAN DESIGNATION/ZONING:** LDR (Low Density Residential) / RA (Low Density Residential)

▶ **EXISTING LAND USE:** Residential

▶ **PROPOSED USE:** Residential

EXTENSION OF PLAN DESIGNATION/ZONING: No

HISTORY OF ZONING REQUESTS: None noted

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING
 North: Vacant land / LI / I (Industrial)
 South: Dwellings, vacant land / LI / A (Agricultural)

East: Vacant land / LI / I (Industrial)

West: Clear Springs Rd. - Vacant land / LI / I (Industrial)

NEIGHBORHOOD CONTEXT: This area is primarily undeveloped. There are several dwellings in the area, zoned either Industrial or Agricultural.

STAFF RECOMMENDATION:

▶ **ADOPT RESOLUTION #6-B-13-SP, amending the Northeast County Sector Plan to LDR (Low Density Residential) and recommend the Knox County Commission also approve the sector plan amendment, to make it operative. (See resolution, Exhibit A.)**

► **RECOMMEND that County Commission APPROVE RA (Low Density Residential) zoning.**

RA zoning is consistent with the sector plan recommendation and will allow uses compatible with the surrounding land uses. The majority of the surrounding development is residential.

COMMENTS:

SECTOR PLAN REQUIREMENTS FROM GENERAL PLAN (May meet any one of these):

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

INTRODUCTION OF SIGNIFICANT NEW ROADS OR UTILITIES THAT WERE NOT ANTICIPATED IN THE PLAN AND MAKE DEVELOPMENT MORE FEASIBLE:

No known improvements have been made recently to Clear Springs Rd. Water utilities are available in the area and if not connected to sewer, the proposed lot is large enough to qualify for a septic system, subject to approval by the Knox County Health Department.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The current sector plan does not recognize the residential land uses located in the area. It calls for light industrial uses on property that is currently developed with residential uses. This discrepancy should be discussed as part of the next update of the Northeast County Sector Plan.

CHANGES IN GOVERNMENT POLICY, SUCH AS A DECISION TO CONCENTRATE DEVELOPMENT IN CERTAIN AREAS:

Residential uses have been established for many years in this area, despite the fact that many of the properties are not zoned properly for those uses.

TRENDS IN DEVELOPMENT, POPULATION OR TRAFFIC THAT WARRANT RECONSIDERATION OF THE ORIGINAL PLAN PROPOSAL:

The site is developed with long-standing residential uses. Bringing those uses into consistency warrants reconsideration of the plan proposal.

REZONING REQUIREMENTS FROM ZONING ORDINANCES (must meet all of these):

THE PROPOSED AMENDMENT SHALL BE NECESSARY BECAUSE OF SUBSTANTIALLY CHANGED OR CHANGING CONDITIONS IN THE AREA AND DISTRICTS AFFECTED, OR IN THE CITY/COUNTY GENERALLY:

1. RA zoning is compatible with the scale and intensity of the surrounding development in the area.
2. The proposed RA zoning is consistent with the recommended Northeast County Sector Plan proposal for the site.
3. RA zoning is appropriate for this site and will bring the zoning into consistency with the current residential use.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSE OF THE APPLICABLE ZONING ORDINANCE:

1. RA zoning provides for residential areas with low population densities. These areas are intended to be defined and protected from encroachment of uses not performing a function necessary to the residential environment.
2. Based on the above description, this site is appropriate for RA zoning.
3. If connected to sewer, the RA zone allows detached residential development with a minimum lot size of 10,000 sq. ft. Without sewer, the minimum lot size is 20,000 sq. ft., subject to approval by Knox County Health Department.

THE PROPOSED AMENDMENT SHALL NOT ADVERSELY AFFECT ANY OTHER PART OF THE COUNTY, NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT:

1. The applicant intends to establish an additional residence at this site. The proposed site is not large enough to be subdivided off under the current A zoning, which requires a minimum lot size of one acre. RA zoning will allow this 26,475 square foot site to be subdivided from the larger tract for the development of a residence.
2. The impact to the street system will be minimal. If a plat is submitted to subdivide the property, a right-of-way dedication may be required. In this section of Clear Springs Rd., this dedication will be 30 feet from the right-of-way centerline.

3. The proposed zoning is compatible with surrounding development, and there should be minimal impact to the surrounding area and no adverse effect to any other part of the County.
4. Public water and sewer utilities are available in the area, but may need to be extended to serve the site.
5. No other area of the County will be impacted by this rezoning request.

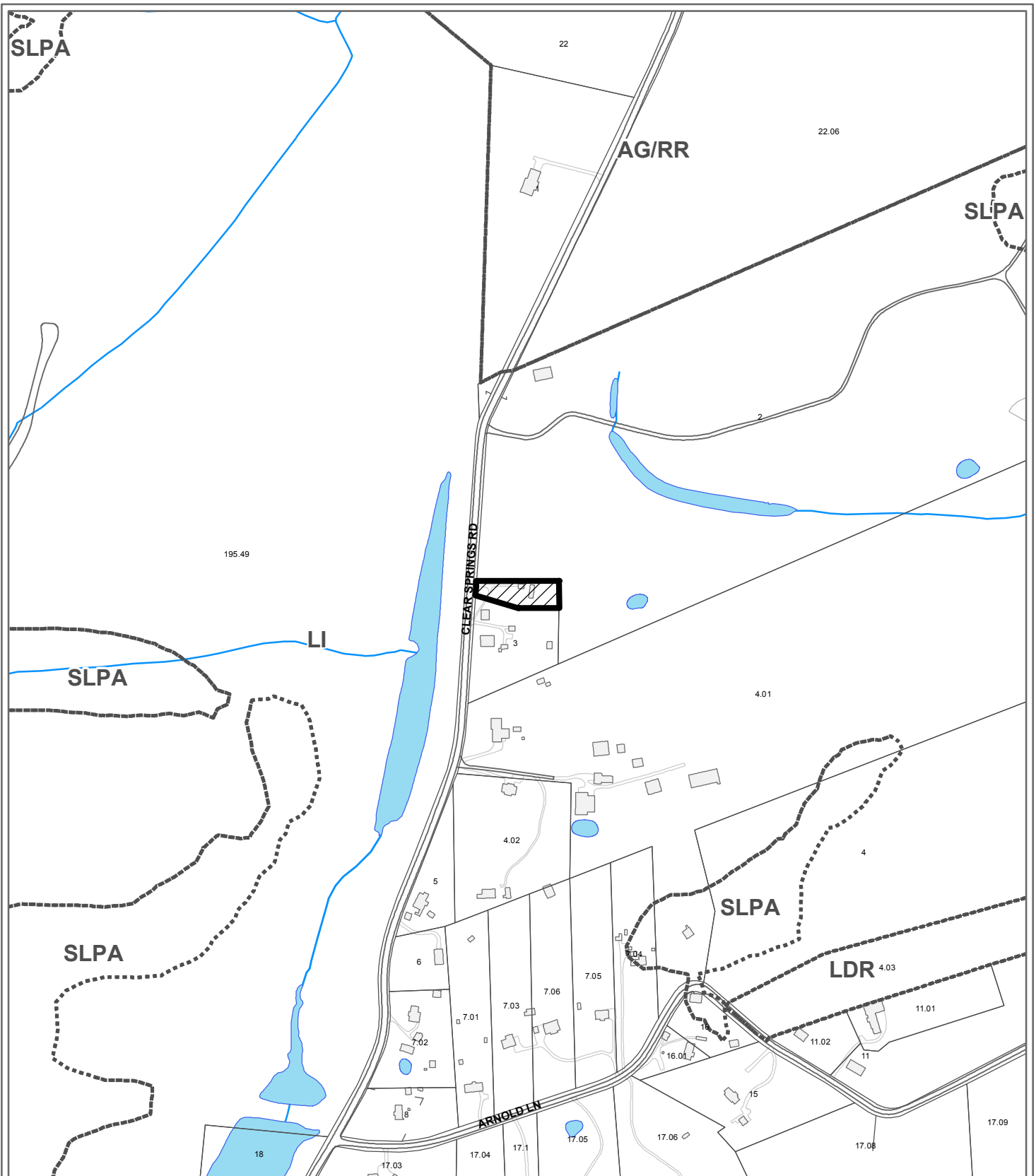
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. With the recommended amendment to LDR, the proposed RA zoning is consistent with the Northeast County Sector Plan.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. Approval of this request may lead to future requests for RA zoning on surrounding properties zoned Agricultural or Industrial.
4. The proposal does not present any apparent conflicts with any other adopted plans.

ESTIMATED TRAFFIC IMPACT: Not calculated.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 7/22/2013. If denied, MPC's action is final, unless the action to deny is appealed to Knox County Commission. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal an MPC decision in the County.



**6-B-13-SP / 6-G-13-RZ
NORTHEAST COUNTY SECTOR PLAN AMENDMENT**

From: LI (Light Industrial)
To: LDR (Low Density Residential)

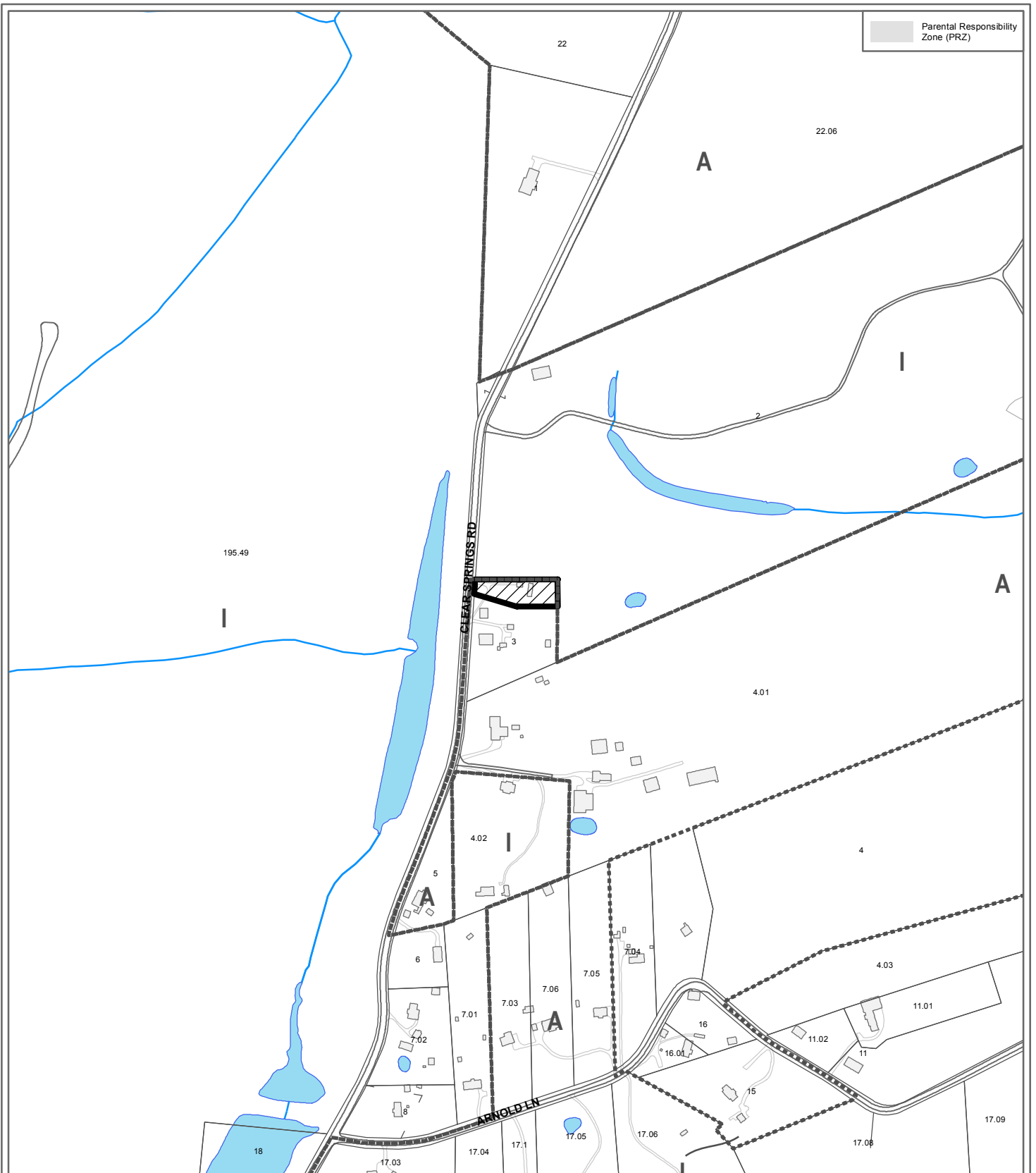


Petitioner: Braden, Darrell

Map No: 43
Jurisdiction: County



Original Print Date: 5/29/2013 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



**6-G-13-RZ
REZONING**

From: A (Agricultural)
To: RA (Low Density Residential)



Petitioner: Braden, Darrell

Map No: 43
Jurisdiction: County



Original Print Date: 5/17/2013 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

**KNOXVILLE-KNOX COUNTY
METROPOLITAN PLANNING COMMISSION
A RESOLUTION AMENDING THE NORTHEAST COUNTY SECTOR PLAN**

***WHEREAS**, the Knoxville-Knox County Metropolitan Planning Commission, a regional planning commission established pursuant to state statute, has the duty to make, adopt and amend plans for the physical development of Knoxville and Knox County; and*

***WHEREAS**, the Metropolitan Planning Commission pursuant to state statute has prepared and adopted the Knoxville-Knox County General Plan 2033, as the official comprehensive plan for Knoxville and Knox County; and*

***WHEREAS**, the Council of the City of Knoxville and the Commission of Knox County have adopted the Knoxville Knox County General Plan 2033, as the official comprehensive plan for Knoxville and Knox County; and*

***WHEREAS**, the Metropolitan Planning Commission has prepared the Knox County Future Land Use Map, a portion of which is contained within the Northeast County Sector Plan, consistent with the requirements of the General Plan; and*

***WHEREAS**, the Knoxville-Knox County General Plan 2033, provides criteria for periodic updates and amendments of the land use maps contained within sector plans initiated by the Planning Commission or in response to applications from property owners; and*

***WHEREAS**, Darrell Braden has submitted an application to amend the Sector Plan from Light Industrial to Low Density Residential for property described in the application; and*

***WHEREAS**, the Metropolitan Planning Commission staff recommends approval of a revised amendment to the Northeast County Sector Plan, consistent with General Plan requirements that such amendment represents either a logical extension of a development pattern, or is warranted because of changing conditions in the sector as enumerated in the Plan; and*

***WHEREAS**, the Metropolitan Planning Commission, at its regularly scheduled public hearing on June 13, 2013, after consideration of the staff recommendation and testimony from those persons in support and opposed to the sector plan amendment, approved the amendment for the subject property, as requested, and/or amended.*

NOW, THEREFORE, BE IT RESOLVED BY THE KNOXVILLE-KNOX COUNTY METROPOLITAN PLANNING COMMISSION:

SECTION 1: The Planning Commission hereby adopts the revised amendment to the Northeast County Sector Plan, with its accompanying, staff report and map, file #6-B-13-SP.

SECTION 2: This Resolution shall take effect upon its approval.

SECTION 3: The Planning Commission further recommends that The Knox County Commission likewise consider this revised amendment to the General Plan 2033.

Date

Chairman

Secretary